

EXHIBIT A

Excerpt of the initial discovery letter, dated January 14, 2015.



U.S. Department of Justice

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District of Massachusetts

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January 14, 2015

Via Federal Express

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Boston, Massachusetts 02108

Re: United States v. Barry Cadden, et al., 14-cr-10363-RGS

Dear Counsel:

Pursuant to Fed. R. Crim. P. 16 and Rules 116.1(c) and 116.2 of the Local Rules of the United States District Court for the District of Massachusetts, the government is hereby providing automatic discovery in this case.

As you know, we are in discussions about the terms a potential protective order to govern confidential discovery materials produced in this case. The discovery materials produced herein contain highly sensitive personal identifying, health, and financial information. We request that you treat all of the discovery materials produced herein as if they are governed by the draft order we sent to you on January 13, 2015, and not share them outside the terms of that draft order, until the court has entered a protective order in this case. Once the court has entered an order, we will designate which documents are governed by it. If you will not agree to this, please let us know immediately.

Our automatic discovery letter language is below, but first we summarize (1) what is enclosed with this letter, and (2) the status of additional anticipated discovery.

1. Included with this letter are the following:

Documents and Records Produced in PDF and Native Format on the Hard Drive

- Transcripts of sworn testimony of witnesses from Analytical Research Laboratories (DOJ_NECC001205692-DOJ_NECC001206114) (*folder name*: ARL Depositions);
- Documents related to In re New England Compounding Pharmacy, Inc., 12-19882 (HJB) (DOJ_NECC001206115-DOJ_NECC001206955) (*folder name*: Bankruptcy Documents);
- Documents and records obtained from the Centers for Disease Control and Prevention (DOJ_NECC001464607-DOJ_NECC001490410) (*folder name*: CDC Documents);
- Memorandum from Subcommittee on Oversight and Investigations Staff of the House Committee on Energy and Commerce, Hearing on “the Fungal Meningitis Outbreak: Could It Have Been Prevented?” (Nov. 12, 2012) (DOJ_NECC001206956-DOJ_NECC001206980) (*folder name*: Congressional Report);
- Correspondence (DOJ_NECC001111971-DOJ_NECC001113991);
- Documents and reports from the Drug Enforcement Administration (DOJ_NECC001206981-DOJ_NECC001206987) (*folder name*: DEA Documents);
- Documents and reports from the Department of Defense (DOJ_NECC001206988-DOJ_NECC001207013) (*folder name*: DOD Documents);
- Documents and reports from the Department of Health and Human Services – Food and Drug Administration (DOJ_NECC001207014-DOJ_NECC001207021) (*folder name*: HHS Reports);
- Immunity orders (DOJ_NECC001207022-DOJ_NECC001207035) (*folder name*: Immunity Orders);
- Documents and records related to counts in the Indictment (DOJ_NECC000000001-DOJ_NECC001081429; DOJ_NECC001113992-DOJ_NECC001186243 (with gaps)) (*folder name*: Indictment Counts);
- Documents and records obtained from the Massachusetts Department of Public Health – Board of Registration in Pharmacy (DOJ_NECC 001081430-DOJ_NECC001110011) (*folder name*: MA DPH);
- Documents and records related to NECC and its affiliated organizations (DOJ_NECC001207036-DOJ_NECC001207317) (*folder name*: NECC Affiliated Organizations);
- Photos taken from NECC (DOJ_NECC00110012-DOJ_NECC001111970) (*folder name*: Photos);

- Documents and records related to civil litigation (DOJ_NECC001207318-DOJ_NECC001207786; DOJ_NECC003608330-DOJ_NECC003608482) (*folder name*: Private Civil Litigation Documents);
- Documents and records obtained from medical facilities that purchased NECC products (DOJ_NECC003134049-DOJ_NECC003608132) (*folder name*: Responses – Clinics);
- Documents and records obtained from medical facilities that purchased NECC products – scanned paper records (DOJ_NECC001217061-DOJ_NECC001464606) (*folder name*: Responses – Clinics Scanned Records);
- Documents and records obtained from NECC and its affiliated organizations and individuals (DOJ_NECC001207787-DOJ_NECC001217060) (*folder name*: Responses – NECC Affiliates);
- Documents and records obtained from third parties and witnesses (DOJ_NECC001503036-DOJ_NECC003134048; DOJ_NECC003608133-DOJ_NECC003608329; DOJ_NECC003608483-DOJ_NECC003614227) (*folder name*: Responses – Third Parties & Witnesses);
- Executed search warrants and inventories of seized materials (DOJ_NECC001186244-DOJ_NECC001205257) (*folder name*: Search Warrants & Seized Materials);
- Documents related to the United States Pharmacopeia (DOJ_NECC001205258-DOJ_NECC001205643) (*folder name*: USP);
- Documents and records from the Department of Veterans Affairs (DOJ_NECC001205644-DOJ_NECC001205691) (*folder name*: VA Documents); and
- Interview reports and agent notes for 260 witnesses and 4 organizations (DOJ_NECC001490411-DOJ_NECC001503035) (*folder name*: Witnesses).

Documents and Records Produced in Electronic Databases

- E-mails and records obtained from AOL e-mail account knobknee@aol.com (approximately 10K documents/19K pages) (AOL_GC00000001 – AOL_GC00034700 (with gaps)) (*database name*: AOL_Chin);
- Reports, tests, documents, and e-mails obtained from Analytical Research Laboratories (approximately 7K documents/51K pages) (ARL-00000001 – ARL-00005721; ARL-USA0-00000001 – ARL-USA0-00015329; ARLOK000001 – ARLOK029703) (*database name*: ARL);
- Documents and records obtained from Baxter Health Care Corporation (approximately 260 documents/3K pages) (BAXA000001-BAXA002416) (*database name*: Baxter);

- Documents and records obtained from Donlin Recano & Company, Inc. (approximately 4K documents/46K pages) (00000001 – 00046229) (*database name*: Donlin Recano);
- Documents and records obtained from the Massachusetts Department of Public Health – Board of Registration in Pharmacy (approximately 2K documents/16K pages) (DPH-MA-00000001 – DPH-MA-00016150) (*database name*: DPH);
- Documents and records obtained from Insight Imaging (approximately 7K documents/28K pages) (IIR0000001 – IIR0027626) (*database name*: Insight Imaging);
- Documents and records obtained from Inspira Medical Centers, Inc. (approximately 1K documents/8K pages) (IMC 035942 – IMC 043506) (*database name*: Insight Imaging);
- Documents and records obtained from Medical Advanced Pain Specialists (approximately 90K documents/171K pages) (MAPS000001 – MAPS171352) (*database name*: MAPS);
- Documents and records obtained from NECC (approximately 776K documents/1.1M pages) (NEC000001 – NEC023802; NECC_USMA0000000001 – NECC_USMA000573037; NECC_USMA000573038 – NECC_USMA001104058) (*database name*: NECC);
- Electronic media obtained from NECC during execution of the search warrants (approximately 1.1M documents/1.6M pages) (USA200000001-USA201510040, USAODD00032623-USAODD00036299, USAO00278636-USAO00317314, USAP00021227-USAP02966440) (*database name*: NECC SW Edata);
- Documents and records obtained from NECC during execution of the search warrants (approximately 10K documents/763K pages) (FDA_P00000001-FDA_P00762568) (*database name*: NECC_Paper);
- Documents and records obtained from Neuromuscular Rehabilitation Association of North Michigan (approximately 37K documents/37K pages) (NMRA_00000001 – NMRA_00037465) (*database name*: Neuromuscular Rehabilitation Assoc. North Michigan);
- Documents and records obtained from South Jersey Healthcare (approximately 1K documents/26K pages) (SJH 000001 – SJH 026308) (*database name*: South Jersey Healthcare);
- Documents and records obtained from Specialty Surgery Center (approximately 221 documents/5K pages) (SSC-00000001 – SSC-00004642) (*database name*: Specialty Surgery Center);
- Documents and records obtained from St. Mary's Medical Center of Evansville, Indiana (approximately 2K documents/30K pages) (000001 – 030259) (*database name*: St. Mary's Medical Center);

- Documents and records obtained from St. Thomas Hospital (approximately 337 documents/1K pages) (STHS0000001 – STHS0001365) (*database name*: St. Thomas Hospital);
- Documents and records obtained from Sunrise Hospital and Medical Center (approximately 577 documents/155K pages) (SUNRISE00000001 – SUNRISE00155203) (*database name*: Sunrise);
- Documents and records obtained from UniFirst Corporation (approximately 2K documents/10K pages) (UNI-DOJ_000001 – UNI-DOJ_010079) (*database name*: UniFirst Corp.);
- Documents and records obtained from Union Hospital, Inc. (approximately 2K documents/7K pages) (UNION-00000001 – UNION-00006940) (*database name*: Union Hospital);
- A spreadsheet identifying the Bates ranges of e-mails and records from the AOL_CHIN database that the government has identified during the course of its review as either “hot” or “relevant;” and
- A spreadsheet identifying the Bates ranges of e-mails and records from the NECC SW Edata database that the government has identified during the course of its review as either “hot” or “relevant.”

2. We are continuing to process additional electronic databases to provide to you, including a database containing documents and records from the FDA. In addition, we have interview reports, arrest reports, and other documents that have recently been created or that we recently obtained. You will be receiving these additional materials in the near future.

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